

CHILD NUTRITION AND FOOD DISTRIBUTION DIVISION MANAGEMENT BULLETIN

No. 99-102

TO:	Sponsors of the National School Lunch Program and School Breakfast Program County Superintendent of Schools Diocesan Superintendents of Schools	ISSUE DATE: March 1999
ATTENTION:	Food Service Directors	
FROM:	School Nutrition Programs	
SUBJECT:	Meal Supplements (Snacks) in the National School Lunch Program	

This management bulletin disseminates guidance on how sponsors of the National School Lunch Program (NSLP) may receive reimbursement for meal supplements (snacks) served in eligible after-school care programs.

BACKGROUND

Effective October 1, 1998, the Child Nutrition Reauthorization Act of 1998 (Public Law 105-336) made major changes in the National School Lunch Act provision that authorizes reimbursement for snacks served in an eligible after-school care program under the NSLP. P.L. 105-336 removed the requirement that a school serving reimbursable snacks must have been participating in the Child Care Food Program (CCFP) as of May 15, 1989; it also raised the age limit for children receiving the snacks from 12 to 18 years of age. The purpose of this management bulletin is to inform school food authorities (SFAs) of the new eligibility criteria for after-school care programs and of the new requirements for serving snacks in those programs. This bulletin also explains how SFAs may apply for reimbursement retroactively to October 1, 1998, or to any subsequent month that their after-school care program began operation.

ELIGIBLE PROGRAMS

To be eligible for reimbursement under the NSLP, an after-school care program must meet the following criteria:

- **A school participating in the NSLP must operate the after-school care program. It cannot be operated by some other agency.** This means that the school must retain final administrative and management responsibility for the after-school care program. Moreover, the SFA must enter into an agreement with the California Department of Education (CDE) and assume full responsibility for meeting all requirements for meal supplements served in the after-school care program. However, it does not mean that the after-school care program must be conducted by the school's personnel or housed in regular school facilities. The school may arrange with another organization, such as the PTA, to perform the day-to-day operations, provided that the school remains the sole governing authority.
- **The purpose of the program must be to provide care in an after-school setting.** This does not mean that the school must offer formal child care as recognized by a licensing authority. It does mean that the primary purpose of the program must be child care and the school must provide children with regularly scheduled activities in a structured, supervised setting. "Regularly scheduled" does not mean that the program must occur daily.

Delaine Eastin - Superintendent of Public Instruction

“Structured” does not mean that the program must establish formal enrollment procedures; however, there must be a means of determining that children are present on a given day, such as a roster or sign-in sheet.

- **The program must include education or enrichment activities.** Extracurricular activities such as the school choir, debate team, or drama society may qualify, but only if their basic purpose is to provide after-school care as defined above. It must be emphasized that under no circumstances can organized athletic programs engaged in interscholastic sports be approved as after-school care under this provision. However, after-school care programs that include supervised athletic activities along with education or enrichment activities may participate. The key is that they are open to all and do not limit membership for reasons other than space or security considerations.

Some schools may be eligible for snack reimbursements under the CCFP rather than the NSLP. For information on the snack component of the CCFP, call (916) 445-0850. Under no circumstances may an SFA be reimbursed through both programs for the same snack.

Residential child care institutions (RCCIs) and boarding schools are not eligible for snack reimbursement under this provision. RCCIs and boarding schools, by definition, have children in residence, which is inconsistent with the law’s concept of after-school care.

TIMES OF OPERATION

The meal supplement provision applies only to programs that provide care for children after the child’s school day has ended. However, children’s eligibility is based on when their scheduled school day ends, not on whether or not the school continues in session. For example, if a kindergarten class ends at noon and the kindergarten students remain in school under a care program as described above, the snacks served to these kindergarten students are reimbursable. The same is true of older children enrolled at schools with split sessions. Students in the early session could remain on campus in an approved after-school care program. Snacks in that program are reimbursable, even though the school continues to operate a later academic session.

Snacks may not be reimbursed in programs operated before or during the child’s school day, on weekends, on holidays, or during vacation periods.

REIMBURSEMENT

Schools may claim reimbursement for one snack per child per day. Children are eligible to participate through age 18; if a student turns age 19 during the school year, reimbursement may be claimed for that student’s snacks during the remainder of the school year. Schools may also claim reimbursement for snacks served to individuals, regardless of age, who are determined to be mentally or physically disabled.

If a site is located in the attendance area of a school in which at least 50 percent of the enrolled children are approved for free or reduced price meals, that site may claim reimbursement at the free rate for all snacks served in after-school care program. This is called “area eligibility,” and will follow policies established for area eligibility under the Summer

Food Service Program. In an area-eligible site, snacks may be claimed at the free rate regardless of each individual student's eligibility status for lunch or breakfast.

A school may be area-eligible based on its own free and reduced price enrollment, or on the free and reduced price enrollment of another school in whose attendance area the first school is located. For example, if a high school with less than 50 percent free or reduced price enrollment is located in the attendance area of a middle school that has 50 percent or more free and reduced price enrollment, then the high school's after-school care program would be area-eligible. In an area-eligible site, SFAs will need to maintain an accurate count of total snacks served.

In sites that are not area-eligible, snacks will be reimbursed according to the eligibility category (free, reduced price, or paid) of the students receiving them. SFAs must count meals and claim reimbursement by eligibility category and maintain documentation of eligibility for snacks served free or at a reduced price. The charge for a reduced price snack may not exceed \$0.15. Under no circumstances may a school charge children for snacks claimed at the free rate.

FILING CLAIMS

We are working with the Department's Fiscal and Administrative Services (formerly Education Finance) Division to revise the reimbursement claim form (EFD 71-5) to include a section for claiming after-school snacks. Until that revision has been made, SFAs wishing to be reimbursed for after-school snacks may need to file a separate claim in addition to their claims under the NSLP and/or School Breakfast Program. A supply of appropriate claim forms, either the revised EFD 71-5 or a separate claim for snacks only, will be provided to SFAs approved to serve after-school snacks.

P.L. 105-336 was effective October 1, 1998. Therefore, schools that began serving snacks to eligible students in eligible after-school programs prior to the issuance of this management bulletin may claim reimbursement retroactively to that date, or to any subsequent date that they began operation. Valid retroactive claims for meals served during this period will be paid without regard to the normal 60-day time limit on claim submissions if they are submitted prior to July 1, 1999. For after-school programs that begin after the issuance of this management bulletin, the normal 60-day time limit will apply. SFAs claiming retroactive reimbursement must have the appropriate supporting documentation. This includes meal counts, attendance rosters, menus and menu production worksheets and any other documentation defined under "Record Keeping" below.

CONTENT OF MEALS

Snacks must meet the meal pattern requirements for meal supplements set forth in the Code of Federal Regulations (7 CFR) Section 210.10(n) (see Attachment 1). Portion sizes for children ages 13 through 18 shall be no less than those stipulated for children ages 6 through 12. USDA recommends that schools offer larger portions for older children (ages 13-18) based on their greater food energy requirements.

RECORD KEEPING

At a minimum, SFAs participating under this provision must maintain the following records:

- If all meals are claimed free, documentation that the site is located in an area served by a school in which at least 50 percent of the enrolled students are approved for free and reduced price meals. As noted above, area eligibility may be based on the school's own free and reduced price enrollment, or on that of another school in whose attendance area the after-school care program is located. In either case, the SFA is responsible for maintaining documentation of a site's area eligibility.
- For all other sites, documentation of free and reduced price eligibility for all children for whom free and reduced price snacks are claimed. A child's eligibility for free or reduced price lunch and breakfast will also apply to after-school snacks.
- Meal counts (total snacks for area-eligible sites; meal counts by eligibility category for others).
- Documentation of individual children's attendance on a daily basis.
- Documentation of compliance with the meal pattern requirements.

As with all school nutrition program records, these records must be maintained for a minimum of three years. In the event of an audit, the records may be required beyond the three-year limit until all audit issues have been resolved.

APPLYING FOR PARTICIPATION

If you are interested in providing meal supplements for after-school programs, an application package is attached. This package includes the following:

- **Application for Funding (Attachment 2).** This is the standard form used for all school nutrition program applications. Information on individual sites must be identified on the reverse of the *Application for Funding* and must be specific to the after-school snack component of the NSLP. This information must include the site number, hours of operation for the after-school care program, site name and address, whether the site is area-eligible, and a concise description of the after-school care program. If the after-school program is located at an existing NSLP site, enter that site's number as assigned by the CNFDD. If the after-school care program is not located on an existing NSLP site, leave the site number space blank. The reverse of the *Application for Funding* provides space for information about eight sites. Please duplicate additional copies if needed.
- **NSLP Agreement Meal Supplements Addendum (Attachment 3).** Sign and return two copies of this form. Original signatures are required on both copies. One copy, signed by the Manager (or designee) of the School Nutrition Programs Unit, will be returned to you for your files.

Please submit the completed application package to:

California Department of Education
Child Nutrition and Food Distribution Division
School Nutrition Programs Unit
560 J Street, Suite 270
Sacramento, CA 95814-2342

We will send a revision to Section 2400 of the *School Nutrition Programs Guidance Manual* addressing after-school snacks as soon as it is completed.

If you have any questions, please contact your School Nutrition Program Analyst at (916) 323-1580 or call toll free (800) 952-5609.

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